



Alec Ferretti

AL13FE26@gmail.com

Bellmore, NY 11710-4306

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Office of Information Programs and Services
A/GIS/IPS/RL
U. S. Department of State
Washington, D. C. 20522-8100

Pursuant to FOIA, I hereby request a copy of the **index** to all birth and death records held by the State Department for the Panama Canal Zone. Birth and death records, also known as vital records or civil records, are often protected under privacy laws, whereas their index is not.

A vital records index is typically the document either contained at the end of a book of vital records, or in a separate volume, alphabetically listing all vital events which took place in a jurisdiction during a specified time period, usually organized by surname or in sequential order. The index typically contains only the names of the individual to whom the record pertains, the date of the document, and/or the certificate number. These indexes have often been digitized in a searchable database format, or as scanned images of a previously-made handwritten index.

According to the State Department's website, "In general, under the provisions of the FOIA and Privacy Act, access to information about private individuals cannot be given to unauthorized third parties absent the individuals' written consent. The Department of State **can and will** process requests without consent, but release of records will be severely limited to protect the privacy of the subject individuals." I am not requesting substantial personal information, and the information contained solely in the index is available under FOIA.

There is a precedent for the release of vital records indexes, as all states release some or all of their vital records indexes to the public. For example, many Consular Reports of Deaths Abroad, which were previously held under the custody of the State Department, have been transferred to the National Archives, and are available to the public, in person at NARA, and online via websites such as [ancestry.com](https://www.ancestry.com). Not only are the certificates available un-redacted, but they contain far more personal information than the indexes that I am requesting.

Regarding specifically the death indexes, the State Department's published FOIA rules state the following: "For deceased individuals, unless the death has been widely reported, please provide proof of death, e.g., a newspaper obituary or a copy of a death certificate, or advise us that none will be forthcoming....Please explain the type of material you seek and why you think that the Department of State would have records. Your request will be processed under provisions of the FOIA." By virtue of my request pertaining to death records, all decedents named in the index must necessarily be deceased.

I am not aware of any federal statute that prohibits the release of this information, as regulations typically prohibit the release of vital records themselves, and do not pertain to the index, which is all that I am requesting.

I request that this index be sent to me digitally, in a searchable database format, if such database exists. If you would prefer me to supply storage media to your office directly, such as flash drives or DVD's, please let me know. Otherwise, I look forward to hearing from you as to the estimates of costs. Please do not proceed until I have consented to all costs.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Sincerely yours,

Alec Ferretti